

REMARKS

Applicants hereby elect to prosecute the subject matter of Group I. Claim 1 has not been amended to delete non-elected subject matter, as it is not clear exactly what the Groups consist of. For example, B is described as aryl, but theoretically, aryl could include heteroaryl, such as thiophene or pyridine and as the description of Group I states “no *additional* heterocycle is present, this implies that heterocycles are included within the aryl groups of B and Y. Applicants recognize that hetaryl is set up separately in the claim definition, but it is not clear from the description of the Group in the restriction requirement that the Office is reading it that way. Further, it is not clear whether the additional heterocycle is simply not permitted on Y or cannot be anywhere in the molecule.

Applicants do not find a requirement for an election of species, but for possible clarification, any species election would result in election of a compound with an M/Z ratio of 325.2 which is the last compound shown on page 25 of the specification.

The remaining changes to claim 1 are simply cosmetic. It has been clarified that if Q is a bond, W is absent and is C₁₋₄ alkyl only if W is present. Paragraph markers have also been edited for clarity.

Claim 2 has been simplified since the major difference between formulas I and II is the designation of A as NR¹; the definitions of B and Q appear unchanged from claim 1 and the definitions of substituents on W and Y are only slightly different so the list is repeated in those cases.

Applicants note that claims 5 and 6 may be rejoined upon allowability of claim 1; claim 5 already depends from claim 1.

Applicants request now examination on the merits. Further, applicants are willing to amend the claims in accordance with the election with guidance from the Examiner. A telephone call to the undersigned representative would be, perhaps, helpful.

Needless to say, applicants reserve their right to pursue non-elected subject matter in divisional applications.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 415852000700.

Respectfully submitted,

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